

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

SPL-EST-9364(2)

In exercise of the powers conferred on him by Rule 9 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965; read with the

Schedule thereto and all other powers enabling him in this behalf, the Administrator of the Union Territory of Goa, Daman and Diu, hereby makes the following entries in place of the existing entries against serial No. 13 of the Schedule appended to the Notification No. GAD/EST/9364(2) dated 30th March, 1966 published in Government Gazette Series I No. 2 dated 14th April, 1966 regarding the Appointing, Disciplinary and Appellate Authorities under the said rules for Class III and IV posts in the Administration of the Union Territory of Goa, Daman and Diu.

Sr. No.	Description of service	Appointing Authority	Authority competent to impose penalties which it may impose (with reference to number in rule II)		Appellate Authority
			Authority	Penalties	
1	2	3	4	5	6
13	Office of the Chief Electrical Engineer and the Electrical Inspectorate	Chief Electrical Engineer	Chief Electrical Engineers	All	Secretary Industries and Labour

By Order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 24th October, 1972.

Notification

OSD/RRVS/31/72-III

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the class III post of Blood Donor Organiser in the Blood Bank Organisation under the Government of Goa, Daman and Diu.

1. Short title.—These rules may be called Goa Government Blood Donor Organiser Class III (non-ministerial, non-Gazetted) post Recruitment Rules, 1972.

2. Application.—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. Number, classification and scale of pay.—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

(a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and

(b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

T. Kipgen
Chief Secretary

Panaji, 6th October, 1972.

SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a DPC exists, U.P.S.C. is to be consulted in its composition making recruitment	Circumstances in which U.P.S.C. is to be consulted in making recruitment
Blood Donor Organiser	One	Class III (Non-ministerial non-gazetted).	Rs. 210-10-290-15-320-EB-15-425.	Selection	18 to 25 years. (Relaxable for Govt. servants)	1. Graduate from a recognised Institution. 2. 3 years experience in Blood Bank work.	Not Applicable	2 years	By promotion falling which by direct recruitment.	Promotion: Upper Divisional Clerks with 3 years service in the grade and having experience in the working of a Blood Bank.	Class As required under the D.P.C. Rules.	

Law and Judicial Department

Notification

LD/1705/72

The Payment of Bonus (Amendment) Ordinance, 1972 (No. 8 of 1972) promulgated by the President of India is hereby published for general information.

M. S. Borkar, Under Secretary (Law).

Panaji, 27th October, 1972.

THE PAYMENT OF BONUS (AMENDMENT)
ORDINANCE, 1972

No. 8 of 1972

Promulgated by the President in the twenty-third Year of the Republic of India.

An Ordinance further to amend the payment of Bonus Act, 1965.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. Short title and commencement. — (1) This Ordinance may be called the Payment of Bonus (Amendment) Ordinance, 1972.

(2) It shall come into force at once.

2. Act 21 of 1965 to be temporarily amended. — During the period of operation of this Ordinance, the Payment of Bonus Act, 1965 (hereinafter referred to as the principal Act) shall have effect subject to the amendment specified in section 3, 4 and 5.

3. Amendment of section 10. — Section 10 of the principal Act shall be re-numbered as sub-section (1) thereof, and —

(i) in sub-section (1) as so re-numbered, in the proviso for the words "this section" the words "this sub-section" shall be substituted;

(ii) after sub-section (1) as so re-numbered. The following sub-section shall be inserted, namely:—

(2) Notwithstanding anything contained in sub-section (1), but subject to the provisions of sections 8 and 13, every employer shall be bound to pay to every employee in respect of the accounting year commencing on any day in the year 1971 a minimum bonus which shall be eight and one-third per cent, of the salary or wage earned by the employee during that accounting year or eighty rupees, whichever is higher whether there are profits in that accounting year or not:

Provided that where such employee has not completed fifteen years of age at the beginning of that accounting year the provisions of this

sub-section shall have effect in relation to such employee as if for the words "eighty rupees", the words "fifty rupees" were substituted.'

4. Amendment of section 13.—To section 13 of the principal Act, the following proviso shall be added, namely:—

'Provided that in respect of the accounting year commencing on any day in the year 1971, the provisions of this section shall have effect as if for the words "forty rupees" "twenty-five rupees" and "four per cent", the words "eighty rupees", "fifty rupees" and "eight and one third per cent" respectively were substituted.'

5. Amendment of section 19.—Section 19 of the principal Act shall be re-numbered as sub-section (1) thereof, and—

(i) in sub-section (1) as so re-numbered, for the words "All amounts" the words "subject to the provisions of this section, all amounts" shall be substituted;

(ii) after sub-section (1) as so re-numbered, the following sub-sections shall be inserted namely:—

(2) Where the amount paid or payable to an employee by way of bonus under this Act (including section 34) in respect of the accounting year immediately preceding the accounting year commencing on any day in the year 1971 is less than the amount payable to such employee under sub-section (2) of section 10 and the amount payable to such employee by way of bonus under this Act in respect of the accounting year commencing on any day in the year 1971 is more than the amount payable to such employee under the said sub-section (2), then, in respect of the accounting year commencing on any day in the year 1971, so much of the amount as is payable to him under that sub-section shall be paid in cash and the balance shall be remitted by the employer to the authority maintaining the provident fund account of such employee for crediting the same in that account and such payment and remittance shall be made within the time-limit specified in sub-section (1).

(3) Without prejudice to the provisions of sub-section (2) where the amount payable to an employee by way of bonus under this Act (including section 34) in respect of the accounting year commencing on any day in the year 1971 is in excess of the amount paid or payable to such employee by way of bonus under this Act in respect of the accounting year immediately preceding, the excess shall be remitted by the employer to the authority maintaining the provident fund account of such employee for crediting the same in that account and the balance shall be paid in cash and such remittance and payment shall be made within the time-limit specified in sub-section (1).

(4) Where any employee has no provident fund account, the provisions of sub-section (2) and (3) shall not apply to such employee and the amount payable to him by way of bonus under this Act (including section 34) shall be paid in accordance with the provisions of sub-section (1).

(5) Where any employer remits any amount for crediting in the provident fund account of an

employee under sub-section (2) of sub-section (3).—

(i) the employer shall be deemed to have discharged his liability to pay the balance amount of bonus to such employee;

(ii) the amount so remitted shall be deemed to be a contribution made by such employee in his provident fund account.

Explanation—For the purposes of sub-sections (2), (3), (4) and (5), the expression "provident fund account" in relation to an employer, means the individual provident Fund, account of such employee maintained under the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 and the schemes framed thereunder or the Employees Provident Funds and Family Pension Fund Act, 1952 and the scheme framed thereunder or under any other law for the time being in force or maintained by such authority as may be specified by the Central Government in this behalf by notification in the Official Gazette as the case may be.

(6) The provisions of the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 and the Employees Provident Funds and Family Pension Fund Act, 1952 shall so far as may be. Apply in relation to the remittances to be made by an employer under sub-section (2) and (3) as they apply in relation to the contribution to be made by such employer under the aforesaid Acts.

V. V. GIRI
President.

23rd September, 1972.

K. K. SUNDARAM
Joint Secy. to the Govt. of India.

Office of the Chief Electoral Officer

Notification

ELN/VPT/CPTN/Rules/68

In exercise of the powers conferred by clause (r) of sub-section (2) of section 65 read with sub-section (5) of section 7 of the Goa, Daman and Diu Village Panchayats Regulation, 1962 (No. 9 of 1962) the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Village Panchayat (Co-option of members) Rules, 1968 namely:—

1. Short title and commencement.—(1) These rules may be called the Goa, Daman and Diu Village Panchayat (Co-option of Members) (Second Amendment) Rules, 1972.

(2) They shall come into force at once.

2. Amendment of rule 2.—For the existing rule 2 of the Goa, Daman and Diu Village Panchayat (Co-option of Members) Rules, 1968 (hereinafter referred to as the "said rules"), the following rule shall be substituted, namely:—

"2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Co-option" means and includes the election by members of a panchayat of a member to fill a seat reserved for women in a Panchayat.

(b) "Presiding Officer" means and includes the officer appointed by the Mamlatdar in whose jurisdiction a Panchayat is situate to preside over the meeting for Co-option.

(c) "Regulation" means the Goa, Daman and Diu Village Panchayats Regulation, 1962.

(d) "Section" means a section of the Regulation.

(e) Words and expressions used but not defined in these rules, shall have the meanings respectively assigned to them in the Regulation".

3. Amendment of rule 4.—In sub-rule (2) of rule 4 of the said rules,—

(i) in clause (c), the word "and" appearing after semi-colon, shall be deleted.

(ii) after clause (c) the following clause shall be inserted, namely:—

"(cc) the place and the date on which and the hours between which a candidate may withdraw his candidature; and".

4. Amendment of rule 9.—For the rule 9 of the said rules, the following rule shall be substituted, namely—

"9. A candidate may withdraw his candidature by giving a notice in writing to that effect to the Presiding Officer within the time limit prescribed in clause (cc) of sub-rule (2) of rule 4."

5. Amendment of rule 12.—In sub-rule (5) of rule 12 of the said rule, for the words, figure and brackets "sub-rule (1)" the words, figure and brackets "sub-rule (2)" shall be substituted.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. S. Borkar, Under Secretary (Law).

Panaji, 1st November, 1972.

Notification

ELN/VPT/CVC/RLS/68

In exercise of the powers conferred by clause (r) of sub-section (2) of section 65 read with section 19 of the Goa, Daman and Diu Village Panchayats Regulation, 1962, the Lt. Governor of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Village Panchayat (Election of chairman and vice-chairman) Rules, 1968 namely:—

1. Short title and commencement.—(1) These rules may be called the Goa, Daman and Diu Village

Panchayat (Election of chairman and vice-chairman) (Second Amendment) Rules, 1972.

(2) They shall come into force at once.

2. Amendment of rule 2.—For rule 2 of the Goa, Daman and Diu (Election of chairman and vice-chairman) Rules, 1968 (hereinafter referred to as the "principal rules") the following rule shall be substituted, namely:—

"2. Definitions.—In the rules unless the context otherwise requires—

(a) "Election" means an election to elect a chairman and/or vice-chairman of a panchayat.

(b) "Presiding Officer" means and includes the officer appointed by the Mamlatdar in whose jurisdiction a Panchayat is situate.

(c) "Regulation" means the Goa, Daman and Diu Village Panchayats Regulation, 1962.

(d) "Section" means a section of the Regulation.

(e) Words and expressions used, but not defined in these rules shall have the meanings respectively assigned to them in the Regulation."

3. Amendment of rule 4.—For the rule 4 of the principal rules, the following rule shall be substituted, namely:

"4. On being informed of the date fixed for calling a meeting of the members of Panchayat under sub-section (1) of section 19 of the Regulation, the Mamlatdar in whose jurisdiction a Panchayat is situate shall fix the hour of the meeting and communicate it to the presiding officer."

4. Amendment of rule 5.—In sub-rule (1) of rule 5 of the principal rules—

(i) in clause (b), the word "and" appearing at the end, after the semi-colon shall be deleted.

(ii) after clause (b) the following clause shall be inserted, namely:—

"(bb) the place and the date on which and the hours between which a validly nominated candidate may withdraw his candidature; and"

5. Amendment of rule 9.—For the rule 9 of the principal rules, the following rule shall be substituted namely:

"9. A candidate may withdraw his candidature by giving a notice in writing to that effect to the Presiding Officer within the time limit prescribed in clause (bb) of sub-rule (1) of rule 5."

6. Amendment of rule 12.—In rule 12 of the principal rules, for the words, brackets and figures "sub-rule (3) of rule 11" the words, brackets and figures "sub-rule (2) of rule 11" shall be substituted.

7. Amendment of rule 15.—For rule 15 of the principal rules, the following rule shall be substituted, namely—

"If at a meeting called for the election of a chairman, no chairman is elected for any reason whatsoever, the presiding officer shall adjourn the same to another date to be notified by the Mamlatdar, in due course."

8. **Amendment of Schedule II.**—In the Schedule II appended to the principal rules, for the brackets, words and figures "[see Rules 6(4)]" the brackets, words and figures "[see Rules 6(5)]" shall be substituted.

9. **Amendment of Schedule IV.**—For the Schedule IV appended to the principal rules, the following schedule shall be substituted, namely:—

SCHEDULE IV

[see Rule 11(2)]

Ballot Paper

Village Panchayat

Signature and seal of
the Presiding Officer.

Sr. No.	Name of the candidate with the name of father or husband and residence	For Mark (X) by voter
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

By order and in the name of the Lt. Governor
of Goa, Daman and Diu.

M. S. Borkar, Under Secretary (Law).

Panaji, 2nd November, 1972.

Planning Department

Notification

4-17-71-PLG

In exercise of the powers conferred by sub-section (2) of Section 14 of the collection of Statistics Act, 1953 (Act No. 32 of 1953), the Govt. of Goa, Daman and Diu hereby makes the following rules, the same having been previously published as required under the said Act, namely:—

1. **Short title.**—These rules may be called the Goa, Daman and Diu (Collection of Statistics) Rules, 1971.

2. **Definitions.**—In these rules, unless the context otherwise requires—

(1) "Act" means the Collection of Statistics Act, 1953 (32 of 1953);

(2) "Notice" means the notice referred to in rule 3;

(3) "plantation" means a commercial concern referred to in sub-clause (ix) of clause (b) of section 2 of the Act;

(4) "Statistics authority" means the officer appointed by the Government of Goa, Daman and Diu to be the statistics authority under section 4 of the Act; and

(5) "survey year", in relation to a factory, industrial concern or plantation, means the accounting year of the factory, industrial concern, or plantation, ending on any date between 1st April of the year in respect of which the statistics are being collected and the 31st of March of the succeeding year.

3. **Service of notice.**—(1) For the purpose of the collection of Statistics under these rules, the Statistics authority shall serve upon the owner of any factory, industrial concern or plantation, a notice requiring the owner to furnish the Statistics authority with—

- one or more returns in such manner and containing such particulars as may be specified in the notice;
- if the factory, industrial concern, or plantation is owned by a company as defined by the companies Act, 1956 (1 of 1956), a copy of the annual balance sheet and profit and loss account and of the Director's report, if any, for the survey year:

Provided that it shall be lawful for the statistics authority to require the owner to furnish more than one copy of a return or other document or different returns or documents on different dates, or in respect of different parts of the activities of the factory, industrial concern or plantation.

(2) The return of other document referred to in sub-rule (1) shall be furnished before a date to be specified in the notice which date shall be—

- in the case of an annual return or other document, not earlier than three calendar months,
- in any other case, not earlier than one calendar month, after the end of the period to which the return or other documents relates.

4. **Particulars to be furnished.**—The returns which the owner may be required to furnish under the notice shall contain all or any of the following particulars, as indicated in the notice, namely:

- identification particulars,
- nature of ownership and management,
- value of and expenditure on different components of fixed capital,
- value of and transactions on different components of working capital,
- details of employment including number of persons employed, man-hours worked and payments made for different categories of employees
- value of privileges or benefits accruing to different categories of employees,
- number and power of different kinds of prime movers separately and for different types of motive force,
- number and strength of motors
- installed capacity,
- details of consumption of fuel, electricity and lubricants and their quantity and value,
- other materials and services consumed including raw materials,

chemicals, packing materials and stores and services purchased, (12) value and quantity of products meant for sale including amount received for work done by the factory for other concerns, (13) sales to different types of customers, (14) stocks of fuels, materials and products, (15) inventory of equipment other than power equipment, (16) present age, condition and service life of buildings, plant and machinery, and (17) any other particulars on which information may be supplied at the discretion of the owner.

5. Objections. — (1) If the returns and other documents required from the owner cannot be furnished by him in the manner in which or the period for which the notice requires him to furnish, by reason of their not being capable of being compiled from his accounts or other records or for any other reasonable cause, he shall supply them in such manner and for such periods which correspond as nearly as possible to the manner and period referred to in the notice and shall apply to the statistics authority in writing within the period allowed in the notice to treat such compliance as full compliance with the notice.

(2) Where the statistics authority rejects an application made under sub-rule (1), the time within which the owner is required by the notice to submit the returns and other documents shall be deemed to have been extended by a period equal to the interval between the date of the application and the date of the receipt by the owner or the statistics authority's order rejecting the application.

6. Alteration of returns and extension of time. — On an application by the owner or otherwise, it shall be competent for the statistics authority to issue orders adding to or otherwise varying the heads under which the owner has been required to furnish the returns and other documents in any manner in which he could have been asked to furnish in the original notice and the owner shall thereupon be required to furnish such revised returns and documents as if he had been required to furnish them in the original notice:

Provided that where the order has been made otherwise than on the application of the owner, the time limit for the submission of the revised returns and other documents shall be deemed to have been

extended to three months or, as the case may be, one month from the date of receipt of such order by the owner:

Provided further that the statistics authority may extend the time limit mentioned in the notice, in his discretion, in any other case also.

7. Interruption of ownership or working. — (1) If at any time during the period in respect of which the returns or other documents are called for in the notice the owner ceases to be the owner, he shall furnish to the statistics authority the returns and documents in respect of that part of the period for which he was the owner.

(2) If a factory, an industrial concern or a plantation discontinues to function during the period in respect of which returns and other documents relating to it have been called for, the owner shall furnish to the statistics authority the returns and other documents for the period up to the date on which the factory, industrial concern or plantation discontinued to function.

8. Mode of service of notice. — Any notice or order required to be served on the owner under these rules may be served by transmission through the post under registered cover with acknowledgement due, or through a person authorised by the statistics authority to serve such notice by delivering it at the place of business of the owner and obtaining an acknowledgement for it.

9. Language in which information should be furnished. — All information required to be furnished under these rules shall be furnished in English, or in such other language or languages as the Government of Goa, Daman and Diu may by order specify.

10. Opportunity to show-cause before sanction of prosecution. — The statistics authority shall, before sanctioning a prosecution under section 11, give a reasonable opportunity to the person to show cause why such prosecution may not be sanctioned.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. S. Sukthankar, Under Secretary (Planning).

Panaji, 27th October, 1972.